

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CITY OF EVERETT, a Washington
municipal corporation,

Plaintiff,

V.

PURDUE PHARMA, L.P., a Delaware limited partnership; PURDUE PHARMA, INC., a New York corporation; THE PURDUE FREDERICK COMPANY, INC., a New York corporation; and JOHN AND JANE DOES 1 THROUGH 10, individuals who are executives, officers, and/or directors of Purdue.

Defendants.

Case No. C17-00209 RSM

**STIPULATED MOTION AND
ORDER REGARDING
DEFENDANTS' TIME TO
RESPOND/ANSWER**

Plaintiff City of Everett (“Plaintiff”) and Defendants Purdue Pharma, L.P., Purdue Pharma, Inc., and The Purdue Frederick Company, Inc. (“Defendants”), having conferred through counsel, hereby stipulate as follows pursuant to LCR 7(d)(1) and LCR 10(g):

STIPULATION

1. On September 25, 2017, this Court granted in part, and denied in part, Defendants' Motion to Dismiss, allowing the Plaintiff thirty (30) additional days to file an amended complaint. [Dkt. No. 27].

2. Plaintiff currently intends to file an amended complaint. In the absence of a stipulation or other relief, Defendants' answer to certain claims alleged by Plaintiff would be due October 9, 2017 pursuant to Fed. R. Civ. Pro. 12(a)(4)(A). Defendants, therefore, requested an extension from Plaintiff.

3. Plaintiff and Defendants have conferred and agree to extend the October 9 date, such that the Defendants may file an answer and/or response to Plaintiff's entire forthcoming amended complaint within 14 days of the filing of the amended complaint.

4. Notwithstanding its agreement to extend Defendants' deadline, Plaintiff has advised Defendants that it wishes to proceed with a discovery conference and planning under Fed. R. Civ. Pro. 26(f) as soon as practicable, particularly given that the Court's September 25, 2017 Order sustained certain of Plaintiff's claims, which the Court noted "will remain undisturbed." Defendants advise that to promote efficiency and certainty, discovery planning under Fed. R. Civ. Pro. 26(f) should proceed after the pleadings are closed and related issues have been resolved.

5. Accordingly, pursuant to the parties' stipulation, and subject to the Court's approval, the parties agree that the Defendants' answer and/or response in this civil action shall be due within 14 days of the filing of the amended complaint. In the event that Plaintiff does not file an amended complaint, then Defendants' answer to the original complaint shall be due on or before November 8, 2017.

SO STIPULATED this October 6, 2017.

Karr Tuttle Campbell

/s/ Thomas D. Adams

Thomas D. Adams, WSBA No. 18470

/s/ Ronald J. Friedman

Ronald J. Friedman, WSBA No. 41629

/s/ Stephanie R. Lakins

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/s/ Andrew W. Durland

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ORDER

Pursuant to the parties' stipulation Defendants' answer and/or response shall be due within 14 days of the filing of the amended complaint. In the event that Plaintiff does not file an amended complaint, then Defendants' answer to the original complaint shall be due on or before November 8, 2017.

DATED this 11th day of October 2017.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE